

AMENDED IN SENATE JULY 10, 1996
AMENDED IN ASSEMBLY APRIL 8, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 2417

**Introduced by Assembly Members Bustamante and Willard
Murray**

(Coauthor: Senator Costa)

February 20, 1996

An act to amend Sections 5014 and 36010 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2417, as amended, Bustamante. Vehicles: farm vehicles: identification plates.

(1) Existing law requires a person, other than a manufacturer or dealer, as an ~~alternative~~ *exemption* to registration, to obtain an identification plate for specified vehicles that are owned by a farmer and used in specified farming operations.

This bill would ~~delete the exemption currently applicable to manufacturers and dealers, and would, additionally, require, as create~~ an ~~alternative~~ *additional category of vehicles subject to the exemption* to registration; ~~and the identification plate for vehicles that are rented or leased by a farmer and are used in the requirement by including farmer-owned, rented, or leased farm-trailers, if used in~~ specified operations. Because a violation of the provision

requiring identification plates is a crime, this bill would expand the scope of the crime.

(2) Existing law defines a “farm trailer” as a trailer or semi-trailer owned and operated by a farmer in the conduct of agricultural operations, and used exclusively to transport agricultural products upon the highway to the point of first handling and return.

This bill would expand that definition to include ~~trailers and semi-trailers that are rented or leased by a farmer~~ *a trailer or semitrailer with a gross vehicle weight rating of 6,000 pounds or less that is owned, rented, or leased by a farmer, manufactured and in use prior to January 1, 1997, and operated in connection with agricultural operations under specified conditions.*

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5014 of the Vehicle Code is
2 amended to read:
3 5014. An application *by a person other than a*
4 *manufacturer or dealer* for an identification plate for
5 special construction equipment, cemetery equipment,
6 special mobile equipment, tow dolly, logging vehicle,
7 cotton trailer, or farm trailer as specified in Section 36109,
8 ~~a vehicle that is owned, rented, or leased by a farmer and~~
9 ~~is used as provided in subdivision (b) of Section 36101, a~~
10 ~~motor vehicle that is owned, rented, or leased by a farmer~~
11 ~~and is operated and used as provided in subdivision (a)~~
12 ~~of Section 36101, or an automatic bale wagon operated as~~
13 ~~specified in subdivision (a) or (b) of Section 36102 shall~~
14 *a vehicle that is farmer-owned and used as provided in*
15 *subdivision (b) of Section 36101, a motor vehicle which*

1 *is farmer-owned and operated and used as provided in*
2 *subdivision (a) of Section 36101, an automatic bale wagon*
3 *operated as specified in subdivision (a) or (b) of Section*
4 *36102, or a farm trailer that is owned, rented, or leased by*
5 *a farmer and is operated and used as provided in*
6 *subdivision (b) of Section 36010, shall include the*
7 *following:*

8 (a) The true, full name and the driver's license or
9 identification card number, if any, of the owner.

10 (b) A statement by the owner of the use or uses which
11 he or she intends to make of the equipment.

12 (c) A description of the vehicle, including any
13 distinctive marks or features.

14 (d) A photograph of the vehicle. Only one photograph
15 of one piece of equipment shall be required to be
16 attached to the application when identification plates are
17 to be obtained for more than one piece of equipment,
18 each of which is of the same identical type.

19 (e) Other information as may reasonably be required
20 by the department to determine whether the applicant
21 is entitled to be issued an identification plate.

22 (f) A service fee of seven dollars (\$7) for each vehicle.
23 The plates shall be renewed between January 1 and
24 February 4 every five calendar years, commencing in
25 1986. Any part of the year of the first application
26 constitutes a calendar year. An application for renewal of
27 an identification plate shall contain a space for the
28 applicant's driver's license or identification card number,
29 and the applicant shall furnish that number, if any, in the
30 space provided.

31 SEC. 2. Section 36010 of the Vehicle Code is amended
32 to read:

33 ~~36010. A "farm trailer" is a trailer or semi-trailer that~~
34 ~~is owned, rented, or leased by a farmer and is operated by~~
35 ~~that~~

36 *36010. A "farm trailer" is either of the following:*

37 (a) *A trailer or semitrailer owned and operated by a*
38 *farmer in the conduct of agricultural operations, and used*
39 *exclusively to transport agricultural products upon the*
40 *highway to the point of first handling and return.*

1 ***(b) A trailer or semitrailer equipped with rollers on***
2 ***the bed, with a frame not taller than 10 inches high, and***
3 ***with a gross vehicle weight rating of 6,000 pounds or less,***
4 ***that is owned, rented, or leased by a farmer and operated***
5 ***by that farmer in the conduct of agricultural operations,***
6 ***used exclusively to transport fruit and vegetables upon***
7 ***the highway to the point of first handling and return, and***
8 ***that was manufactured and in use prior to January 1, 1997.***
9 ***These vehicles may also be operated on the highways***
10 ***without a load for the purposes of delivering a rented or***
11 ***leased vehicle to the renting or leasing farmer's farm, or***
12 ***returning empty to the owner's premises.***

13 SEC. 3. No reimbursement is required by this act
14 pursuant to Section 6 of Article XIII B of the California
15 Constitution because the only costs that may be incurred
16 by a local agency or school district will be incurred
17 because this act creates a new crime or infraction,
18 eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section
20 17556 of the Government Code, or changes the definition
21 of a crime within the meaning of Section 6 of Article
22 XIII B of the California Constitution.

23 Notwithstanding Section 17580 of the Government
24 Code, unless otherwise specified, the provisions of this act
25 shall become operative on the same date that the act
26 takes effect pursuant to the California Constitution.